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| 09/854,577 | 05/15/2001 | Daniel Egger | 4256B | 1561 |
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| ANDREWS KURTH LLP 1350 I STREET, N.W. SUITE 1100 WASHINGTON, DC 20005 | | | EXAMINER MUHEBBULLAH, SAJEDA | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/854,577

Applicant(s)

EGGER ET AL.

Examiner

SAJEDA MUHEBBULLAH

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 99 and 101-118 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 99 and 101-118 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/02)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

1. This communication is responsive to Amendment filed 7/16/2010.
2. Claims 99 and 101-118 are pending in this application. Claims 99, 106, and 113 are independent claims.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 106-107 and 109-118 are rejected under 35 U.S.C. 102(e) as being anticipated by Cohn (US 5,712,995).

As per claim 106, Cohn teaches a method for displaying active information windows on a screen, wherein the information windows are generated by a computer and the screen is operably connected to the computer, and wherein the information windows may be displayed in two or more formats, comprising:

identifying at least one active window, wherein the identified windows will be displayed in a first format on the screen (Fig.23A, col.29, lines 1-5; col.35, lines 29-33; col.41, lines 7-9; col.47, lines 21-21; *user chooses desired format of windows via partitioning the display into a desired number of panes wherein the applications will reside*),

recognizing at least one active window, wherein the recognized windows will be displayed in a second format on the screen, and wherein none of the identified windows are recognized (col.42, lines 51-52; col.43, lines 2-3; 25-26; *inactive panes are displayed as minimized tabs or icons*); and

generating a display on the screen for viewing identified windows and recognized windows, wherein a first format display is generated for each of the identified windows (Fig.23A, *identified windows 990-991 displayed*; col.43, lines 12-14; 22-23), wherein a second format display is generated for each of the recognized windows, and wherein the second format is different from the first format (Fig.23A, *recognized windows 993-996 are displayed as minimized tabs or icons* col.42, lines 51-52; col.43, lines 2-3; 25-26;), comprising

arranging the first format displays and second format displays for display on the screen, wherein the computer is used in the arranging step (col.43, lines 36-45); and

repeating the steps of identifying, recognizing and generating when a new window is activated (col.43, lines 5-6, 9-10, 12-14, 16-17, 36-45; *activation of an inactive window causes window to be arranged in the desired layout by replacing it with another window*).

As per claim 107, Cohn teaches the method wherein the steps occur automatically each time a new window is activated (col.43, lines 36-45, *when a minimized window is activated it is automatically replaced with a currently active window*).

As per claim 109, Cohn teaches the method wherein the first format displays are arranged vertically side-by-side (Fig.23A, *identified windows 990-991 arranged vertically side-by-side*).

As per claim 110, Cohn teaches the method wherein the first format displays are arranged horizontally (Fig.23A, *identified windows 990-991 arranged horizontally*).

As per claim 111, Cohn teaches the method wherein the generating step further comprises minimizing the recognized windows (Fig.23A, *recognized windows 993-996 are displayed as minimized tabs or icons* col.42, lines 51-52; col.43, lines 2-3; 25-26).

As per claim 112, Cohn teaches the method wherein a database manager is used, and wherein the step of generating further comprises accessing a database of information and using the accessed database information to generate the first format displays (col.41, lines 51-55).

As per claim 113, Cohn teaches a database management system using windows of information and auto-arranging of the windows, wherein each time a previously inactive window is activated the system autoarranges the windows for display on a screen (col.43, lines 36-45, *when an inactive window is activated it is automatically replaced with a currently active window*), comprising:

a memory, wherein data for use in generating information windows is stored (Fig.5, *memory 130*; col.10, lines 27-31);

a processor, operably coupled to the memory (col.10, lines 26-27), that auto-arranges the windows of information; wherein the windows of information are automatically arranged (col.43, lines 36-45, *when a minimized window is activated it is automatically replaced with a currently active window*), the processor comprising:

means for generating windows of information using data from the memory (col.41, lines 51-55); and

means for auto-arranging windows of information into an arranged format, wherein more than one window may be arranged (col.41, lines 51-55), and wherein each time a previously inactivate window is activated, all the active windows are arranged so that the arrangement of

windows changes each time a previously inactivate window is activated (col.43, lines 36-45, *when a minimized window is activated it is automatically replaced with a currently active window*), and wherein the activated window is displayed in a first format (col.43, lines 5-6, 9-10, 12-14, 16-17, 36-45; *identified activated windows are displayed in desired number of pane and layout chosen by user*); and

a screen, operably coupled to the processor (Fig.5, *display 140*; col.10, lines 34-37), wherein the screen displays the information windows in an arranged format (Fig.23A).

As per claim 114, Cohn teaches the database management system wherein the means for auto-arranging windows comprises:

means for determining windows to be arranged in the first format and windows to be arranged in a second format, wherein at least one window is determined to be arranged in the first format (Fig.23A, *windows 990-991 displayed in first format arranged side-by-side; windows 993-996 displayed in second format as minimized tabs or icons*).

As per claim 115, Cohn teaches the database management system wherein the windows determined to be arranged in the second format are represented by graphical icons and are displayed in a lower portion of one or more of the first format windows (Fig.23A, *windows 993-996 are displayed as minimized tabs or icons*).

As per claim 116, Cohn teaches the database management system wherein the arranged format is a targeted format chosen by a user of the database management system, further comprising means for choosing a target format (col.41, lines 58-65).

As per claim 117, Cohn teaches the database management system wherein the user may enter a customized target format, further comprising a keyboard (col.10, lines 31-33), wherein

the customized target format may be entered (col.41, lines 58-65; Fig.23A, col.29, lines 1-5; col.35, lines 29-33; col.41, lines 7-9; col.47, lines 21-22; *user chooses desired layout of windows via partitioning the display into a desired number of panes wherein the applications will reside*)

As per claim 118, Cohn teaches the database management system wherein the user may choose from several different formats, the data management system further comprising means for displaying a list of formats to be chosen (col.41, lines 58-65; *predefined layouts may be chosen by user*).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 99 and 101-105 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohn (US 5,712,995) in view of Oran et al. ("Oran", US 5,757,371).

As per claim 99, Cohn teaches a method for arranging a desired number of activated windows of information for display on a screen connected to a computer, wherein the desired number is the number of activated windows to arrange for display on the screen in a particular format, and wherein the computer activates windows, the method comprising:

choosing the desired number of activated windows to arrange on the screen in the particular format (Fig.23A, col.29, lines 1-5; col.35, lines 29-33; col.41, lines 7-9; col.47, lines

21-21; *user chooses desired layout of windows via partitioning the display into a desired number of panes wherein the applications will reside*)

identifying activated windows for display, wherein the number of activated windows identified for display equals the desired number of activated windows to be displayed in the particular format, wherein the desired number of activated windows to be displayed is greater than one (col.43, lines 5-6, 9-10, 12-14, 16-17, 36-45; *identified activated windows are displayed in desired number of pane chosen by user*),

arranging the identified windows on the screen for display in the particular format, wherein the identified windows are visibly arranged (col.43, lines 5-6, 9-10, 12-14, 16-17, 36-45; *identified activated windows are displayed in desired number of pane and layout chosen by user*); and

wherein each time a new window is activated the steps of identifying and arranging are repeated (col.43, lines 5-6, 9-10, 12-14, 16-17, 36-45; *activation of an inactive window causes window to be arranged in the desired layout by replacing it with another window*).

However, Cohen does not teach wherein the most recently activated windows are identified for display. Oran teaches a method of displaying up to a specified number of documents wherein only the most recently activated documents are displayed (Oran, Fig.16B, col.9, lines 55-60; *up to 15 of the most recently used documents are displayed at a time*). It would have been obvious to one of ordinary skill in the art at the time of the invention to include Oran's teaching with Cohn's method in order to view the latest information.

As per claim 101, the method of Cohn and Oran teaches the method wherein the choosing the desired number of activated windows to arrange on the screen comprises choosing a default value (Cohn, col.46, lines 44-46; *default may be set for display configurations*).

As per claim 102, the method of Cohn and Oran teaches the method further comprising recognizing one or more activated windows which have not been identified for display and will not be arranged for display on the screen in the particular format (Cohn, col.42, line 64-col.43, line 5; *inactive panes are displayed as tabs or icons*).

As per claim 103, the method of Cohn and Oran teaches the method wherein an activated window not identified for display may be represented on the screen with a representative display, the method further comprising representing one or more recognized windows on the screen with a representative display (Cohn, col.42, lines 51-52; col.43, lines 2-3; 25-26; *inactive panes are displayed as tabs or icons*).

As per claim 104, the method of Cohn and Oran teaches the method wherein the representative display is an icon which graphically represents the recognized window and wherein the icon is displayed simultaneously with an identified window (Cohn, Fig.23A; *icons 993-996 simultaneously displayed with identified windows 990-991*; col.42, lines 51-52; col.43, lines 2-3; 25-26; *inactive panes are displayed as tabs or icons*).

As per claim 105, the method of Cohn and Oran teaches the method further comprising minimizing the recognized window (Cohn, col.42, lines 51-52; col.43, lines 2-3; 25-26; *inactive panes are displayed as minimized tabs or icons*).

7. Claim 108 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cohn (US 5,712,995) in view of Conrad et al. ("Conrad", US 5,956,030).

As per claim 108, Cohn teaches the method of claim 106, wherein the second format is graphic icons (Cohn, Fig.23A, *icons 993-996*) and wherein the method further comprises arranging the graphic icons, wherein the graphic icons are arranged in an orderly fashion (Cohn, Fig.23A, *icons 99—996 arranged on bottom*). However, Cohn does not teach the graphic icons to be arranged to overlay on the first format display. Conrad teaches a method of managing windows wherein icons are displayed overlapping windows shown in a different format from those of the icons (Conrad, Fig.2, 3, 5). It would have been obvious to one of ordinary skill at the time of the invention to include Conrad's teaching with Cohn's method in order to conserve display space and view both types of windows simultaneously.

Response to Arguments

8. Applicant's arguments, see Amendment, filed 7/16/2010, with respect to the rejection(s) of claim(s) 99 and 101-118 under 35 U.S.C. 102 and 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Cohn (US 5,712,995).

9. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Communications

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sajeda Muhebbullah whose telephone number is **(571) 272-4065**. The examiner can normally be reached on Tuesday/Wednesday and alt. Mondays from 8:00 am to 4:30 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow, can be reached on (571) 272-7767.

The central fax number for the organization where correspondence for this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sajeda Muhebbullah

Patent Examiner

Art Unit 2174

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/DENNIS-DOON CHOW/

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